

E-FILED - 2/12/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAUL ANDREW SHIELDS,	)	No. C 07-0157 RMW (PR)
)	
Plaintiff,	)	ORDER DENYING
	)	PLAINTIFF'S REQUEST FOR
v.	)	SUSPENSION OF
	)	PROCEEDINGS; GRANTING
GRAY DAVIS, et al.,	)	EXTENSION OF TIME TO FILE
	)	AN OPPOSITION TO
Defendants.	)	DEFENDANTS' MOTION TO
	)	DISMISS AND FOR SUMMARY
	)	JUDGMENT
_____	)	(Docket No. 46)

Plaintiff, a prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On December 22, 2008, defendants filed a motion to dismiss and a motion for summary judgment. Currently, plaintiff's opposition is past due as it should have been filed on or before January 22, 2008. On January 15, 2009, plaintiff filed a motion requesting suspension of proceedings and verification of his pro se status (docket no. 46). In plaintiff's motion, he states that he retained the law firm Khorami and Pollard, LLP, on November 24, 2008, and sent Mark Ravis, Esq., all of his legal materials regarding this case. Since then, according to plaintiff, he has not been able to contact Khorami and Pollard, LLP, or Mr. Ravis for any update. On February 3, 2009, plaintiff again requested information regarding his pro se status (docket no. 46). On February 4, 2009, the court mailed plaintiff a copy of the docket sheet which indicates

1 that plaintiff is still representing himself pro se and no attorney has entered an appearance on his
2 behalf.

3 According to plaintiff's motion, it appears that plaintiff has not received defendants'
4 motion (docket nos. 40-45) due to a change in address. Accordingly, defendants shall re-send a
5 copy of their motion to plaintiff at the address currently on record.

6 In his motion, plaintiff requests that the case be suspended for six months in order for
7 him to retrieve his case files from Mr. Ravis. Six months appears to be an excessive amount of
8 time to retrieve case files. Accordingly, plaintiff's motion for suspension of proceedings is
9 DENIED. However, the court will grant plaintiff an additional 90 days from the filing date of
10 this order to file an opposition to defendants' motion. Should plaintiff discover he needs
11 additional time, the court will entertain future motions for limited extensions of time upon a
12 showing of good cause as to why another extension would be warranted.

13 This order terminates docket no. 46.

14 IT IS SO ORDERED.

15 DATED: 2/10/09


RONALD M. WHYTE
United States District Judge